

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 332 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1 begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 6-1.1-20.5 IS ADDED TO THE INDIANA CODE
- 4 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 1999]:
- 6 **Chapter 20.5. Property Tax Rate Freeze Credits**
- 7 **Sec. 1. (a) A credit against a property taxpayer's net property**
- 8 **tax liability shall be provided under this chapter. The state board**
- 9 **of tax commissioners shall determine the following for each civil**
- 10 **taxing unit:**
- 11 (1) The ratio of:
- 12 (A) the civil unit's 1999 actual levy for all funds subject to
- 13 the maximum permissible ad valorem property tax levy
- 14 controls under IC 6-1.1-18.5; divided by
- 15 (B) the civil unit's 1999 maximum levy for all funds subject
- 16 to the maximum permissible ad valorem property tax levy
- 17 controls under IC 6-1.1-18.5.
- 18 (2) The ratio of:
- 19 (A) the civil unit's current year actual levy for all funds
- 20 subject to the maximum permissible ad valorem property
- 21 tax levy controls under IC 6-1.1-18.5; divided by
- 22 (B) the civil unit's current year maximum levy for all funds
- 23 subject to the maximum permissible ad valorem property
- 24 tax levy controls under IC 6-1.1-18.5.

(b) If the ratio under subsection (a)(1) is one (1) or the ratio under subsection (a)(2) is not greater than the ratio under subsection (a)(1), the credit is equal to the difference in the net amount of ad valorem property taxes that would be due from the taxpayer for all civil taxing unit funds subject to the maximum permissible ad valorem property tax levy controls under IC 6-1.1-18.5 that exceed the amount that would be due from the taxpayer if the net property tax rates effective for property taxes first due and payable in 1999 were used.

(c) If the ratio under subsection (a)(2) is greater than the ratio under subsection (a)(1), the credit shall be determined as follows:

**STEP ONE:** Determine the net amount of ad valorem property taxes that would be due from the taxpayer for all civil taxing unit funds subject to the maximum permissible ad valorem property tax levy controls under IC 6-1.1-18.5 using an ad valorem property tax levy for the current year that equals:

(A) each civil taxing unit's maximum ad valorem property tax levy under IC 6-1.1-18.5 for the current year; multiplied by

(B) the ratio under subsection (a)(1).

**STEP TWO:** Determine the net amount of ad valorem property taxes that would be due from the taxpayer for all civil taxing unit funds subject to the maximum permissible ad valorem property tax levy controls under IC 6-1.1-18.5 by applying the net property tax rate effective for property taxes first due and payable in 1999.

**STEP THREE:** Determine the result of:

(A) the STEP ONE result; minus

(B) the STEP TWO result.

**Sec. 2.** Before March 1 of each year, each county auditor shall certify to the state board of tax commissioners and provide the amount of property tax rate freeze credits allowed for each property taxpayer in that county for that calendar year. Before March 15, the state board of tax commissioners shall certify the amount of credits allowed to the property tax replacement fund board. The credits shall be certified in the same manner as property tax replacement credits are determined under IC 6-1.1-21.

**Sec. 3.** Each year the property tax replacement fund board shall allocate to the department of state revenue an amount equal to the total amount of tax credits that are provided under this chapter for each county for that year in the same manner as the homestead credits are allocated from the property tax replacement fund under IC 6-1.1-21.

**Sec. 4. (a)** The department of state revenue shall distribute to

1 each county treasurer from the state general fund the estimated  
2 distribution for that year for the county at the same time and in the  
3 same manner as the homestead credit distributions are made under  
4 IC 6-1.1-21.

5 (b) Money in the property tax replacement fund is annually  
6 appropriated to make the distributions. All distributions provided  
7 in this section shall be made on warrants issued by the auditor of  
8 state drawn on the treasurer of state.

9 Sec. 5. To the extent it is consistent with this chapter,  
10 IC 6-1.1-21 applies with respect to the credit under this chapter".

11 Renumber all SECTIONS consecutively.

(Reference is to ESB 332 as printed April 6, 1999.)

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Representative Thompson